

JUDGE KARAS

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of New York

MICHAEL F. CONSEDINE, Insurance Commissioner
of the Commonwealth of Pennsylvania, in his official
capacity as Liquidator of Reliance Insurance Company

Plaintiff

v.

PepsiCo, Inc.

Defendant

14 CV 2238

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* PepsiCo, Inc.
700 Anderson Hill Road
Purchase, New York 10577

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Fran M. Jacobs
Richard T. Apiscopa
DUANE MORRIS, LLP
1540 Broadway
New York, New York 10036
(212) 692-1000

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RUBY J. KRAJICK

CLERK OF COURT

Date: 03/31/2014

(Signature)
Signature of Clerk or Deputy Clerk

AFFIDAVIT OF SERVICE

**UNITED STATES DISTRICT COURT
Southern District of New York**

Index Number: 14 CV 2238

Date Filed: 3/31/2014

Plaintiff:

**MICHAEL F. CONSEDINE, Insurance Commissioner of the Commonwealth
of Pennsylvania, in his official capacity as Liquidator of Reliance Insurance
Company,**



CSU2020116718

vs.

Defendant:

PEPSICO, INC.,

For:

Duane Morris LLP - New York
1540 Broadway
New York, NY 10036

Received these papers to be served on **PEPSICO, INC., 1111 WESTCHESTER AVENUE, WHITE PLAINS, NY 10604-352.**

I, Edward Soltan, being duly sworn, depose and say that on the **1st day of April, 2014 at 2:30 pm, I:**

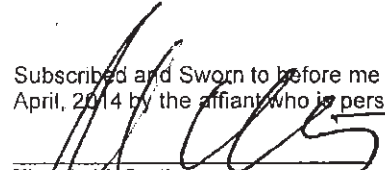
Served the above named Entity by personally delivering Summons In A Civil Action, Complaint For Damages And Declaratory Relief With Exhibits 1-6, Plaintiff's Rule 7.1 Corporate Disclosure Statement And Individual Rules Of Practice Hon. Kenneth M. Karas to Erika Greenberg, Legal Assistant, as authorized to accept on behalf of the above named ENTITY.

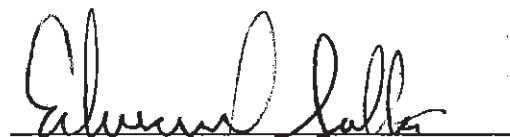
Description of Person Served: Age: 41, Sex: F, Race/Skin Color: WHITE, Height: 5'6", Weight: 135, Hair: RED, Glasses: N

I am over the age of 18, am not a party in the above action, and am a Certified Process Server, in good standing, in the jurisdiction in which the process was served.

CS, Inc. 181 Hillside Avenue, Williston Park, New York 11596. D.C.A. License # 1382542

Subscribed and Sworn to before me on the 2nd day of
April, 2014 by the affiant who is personally known to me.


Tina A. McCarthy
Notary Public, State of New York
No. 01MC6115830
Qualified in Bronx County
Commission Expires 09/13/2016


Edward Soltan
D.C.A. License # 1106540

Our Job Serial Number: CSU-2020116718